

R E M A R K S

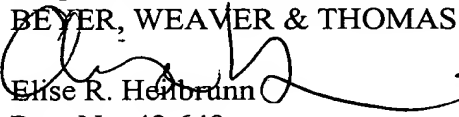
The claims are divided into Species 1 containing claims 1-19 and 36-38, directed to a Home Agent and Species 2, claims 20-35 and 39-71, directed to a Mobile Router. Applicant provisionally elects to prosecute Species 2 containing claims 20-35 and 39-71, directed to a Mobile Router, with traverse.

The restriction requirement states that the inventions are distinct because they are patentably distinct species. More particularly, Species 1 is identified as directed to a Home Agent and Species 2 is identified as directed to a Mobile Router.

Even if the claims are drawn to patentably distinct or independent inventions, MPEP § 803 provides that "[i]f the search and examination of an entire application can be made without serious burden, the examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." Although the scope of the claims varies and Applicant agrees that the claims are patentably distinct, the claimed features function together to perform a single function. Specifically, IP multicast data transmission is optimized in a Mobile IP environment. This is accomplished by performing packet replication and transmission at the Foreign Agent or associated multicast router rather than at the Home Agent. In order to modify the packet replication process, a data path is established between the Foreign Agent and the Home Agent that enables packet replication and transmission.

Accordingly, although it is acknowledged that the inventions of Species 1 and 2 are patentably distinct, Applicant respectfully submits that it would not unduly burden the examiner to simultaneously examine the claims of Species 1 and 2.

Should the Examiner have any questions concerning this matter, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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